WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SUPPLEMENTARY PAGE)

International Application No: PCT/DE2004/000224

Re Point V.

1   Reference is made to the following documents in the present opinion:

D1: U.S. 2001/056533 A1 (KILIAN JOSEPH ET AL) December 27, 2001 (2001-12-27)

The references in brackets relate to this document.

D2: EP-A-0 915 600 (HITACHI LTD) May 12, 1999 (1999-05-12)

2   INDEPENDENT CLAIM 1

The present application does not satisfy the requirements of Article 33(1) PCT, because the subject matter of Claim 1 is not novel within the meaning of Article 33(2) PCT.

Document D1 is (see in particular page 1, para. 11 to 21, Claims 17-20) a method for releasing a data processing unit (computer platform 101) for processing data, in which a client requests the usage permission for using a data processing unit (computer platform 101) for the processing (cf. page 1, para. 11-17), a signature is generated by signing predetermined data, the signature is verified as to its correctness, and the data processing unit (90) is only released to process the data if the first signature has been verified as correct (cf. page 2, para. 34).

Therefore, the subject matter of the valid Claim 1 is completely anticipated with respect to its technical features, and consequently is not novel.

In this context, the remaining non-technical feature, that the data to be processed are "project data of a project" is without significance in the assessment according to Article 33(2) EPC, cf. Rule 6.2(a) EPC.

3. INDEPENDENT CLAIM 8

3.1 Document D1 discloses (see especially page 1, para. 11 to 21, Claims 1-6) a communication system (data control system) for releasing a data processing unit for processing data, comprising a computer, assigned to a client, in which a data processing unit (operating system) is implemented and which has a memory device (storage) in which predetermined data are stored; a usage-permission generating device, assigned to the computer, which includes a device for generating a signature from the predetermined data (algorithms for creating and verifying signatures), the computer having a device for releasing (firewall) the data processing unit which only releases the data processing unit for processing the data if the signature is correct (Claim 1).

The remaining non-technical feature, that the data to be processed are "project data of a project" is without significance here, as well, in the assessment according to Article 33(2) EPC, cf. Rule 6.2(a) EPC.

Therefore, the subject matter of Claim 8 is not novel within the meaning of Article 33(2) PCT.

4   DEPENDENT CLAIMS 2-7, 9-14

Claims 2-7, 9-14 do not include any additional features
that, in combination with the features of any claim to
which they refer, satisfy the requirements of the PCT
with regard to novelty and inventive activity.

Namely, these additional features are either known from
D1 or D2, or are familiar to one skilled in the art based
on his/her scholastic knowledge.

In this context, the additional features of dependent
Claims 6, 7, 12 and 14 in particular are the non-
technical kind, namely are directed to the use of a
customary computer infrastructure for carrying out a
purely commercial activity, and therefore remain out of
consideration (Art. 34 (4)(a)(I) with Rule 39.1(iii)
PCT).